



## PROTECTING PASSENGERS/DRIVERS

# 7

### Tennessee Safety Belt Laws

“It’s the Law”

(T.C.A. 55-9-602, 55-9-603)



Effective July 1, 2004 a law enforcement officer no

longer has to stop a violator for a separate violation in order to issue a citation for failure to observe the seatbelt or child restraint laws in Tennessee. Seatbelt and Child Restraint Device (CDR) violations are now known as primary enforcement statute and just as any other rule of the road a driver can be stopped and ticketed solely for disobeying these laws.

- A. No person shall operate a passenger motor vehicle in the State of Tennessee unless such person and all passengers four (4) years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.
- B. Children are further protected by the law, which makes the **driver responsible** for their protection up to the age of sixteen (16). If children under age 16 are not properly restrained the driver may be charged and fined \$50.00 for violation of the law.
- If the child’s parent or legal guardian is present in the car but not driving, then the parent or legal guardian is responsible for making sure that the child is properly transported and may be fined for non-compliance.
- C. Further revisions to the Tennessee Child restraint Law that took effect on July 1, 2004 include:
- Any child under one (1) year old (even if he or she weighs over 20 pounds) or any child weighing 20 pounds or less must be in a rear facing child restraint, in the rear seat, if available.
  - Any child aged one to three (1 – 3) years old weighing more than 20 pounds must be transported in a forward facing child restraint system in the rear seat, if available.
  - Any child aged four to eight (4 – 8) years of age, measuring less than 5 feet in height must be in a belt positioning booster seat, in the rear seat if available. (NOTE: If the child is not between age 4 and age 8, but is LESS than five feet (5’) in height, he/she must still use a seat belt system.)

- Any child aged nine to twelve (9 – 12) years of age measuring 5 feet or more in height must use a seat belt system and be placed in the rear seat, if available. (Note: If the child is not between age 9 and age 12, but is five feet (5’) or MORE in height, he/she must still use a seat belt system.)
- Any child aged thirteen to fifteen (13 – 15) years old must use a passenger restraint system (seat belt system).
- Provision is made for the transportation of children in medically prescribed modified child restraints. A copy of a Doctor’s prescription is to be carried in the vehicle utilizing the modified child restraint device (CRD) at all times.

All child passenger restraint systems (car seats or booster seats) referenced above must meet federal motor vehicle safety standards.

- D. Tennessee law further requires every occupant sixteen (16) years through seventeen (17) years of age to wear a safety belt throughout the vehicle. Failure to comply could result in a \$20.00 fine for the occupant.

## SEAT BELTS SAVE LIVES

### Safety Belts Facts

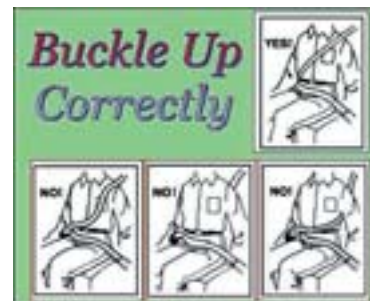
Seat belts and child safety seats help prevent injury five different ways. By:

#### 1. Preventing ejection

Ejection greatly increases the chance of death or serious injury, in fact the chance of being killed in a crash by being ejected from a vehicle is 1 in 8. Safety belts virtually eliminate ejection. The belted driver stays inside the car often protected from injury.

#### 2. Shifting crash forces to the strongest parts of the body’s structure.

- To get the most benefit out of your seat belt, you should be aware of the following points:
- The lap belt should be worn low over the pelvis with the bottom edge touching the tops of the thighs snugly.
- The shoulder belt should be worn over the shoulder and across the chest, **NOT** under the arm and over the abdomen. Make certain that the shoulder belt is not worn so loosely that it slides off your shoulder.
- Pregnant women should wear the lap belt below the abdomen and the shoulder belt above the belly.



### 3. Spreading forces over a wide area of the body.

Safety belts reduce the possibility of injury from “hostile” surfaces inside the car (steering wheel, dashboard, windshield, controls, etc.). Even if the belted driver does collide with some of these surfaces, they do so with much less force and are often spared more serious injury.

### 4. Allowing the body to slow down gradually.

The belt keeps the driver “in the driver’s seat.” The belted driver is better able to deal with emergencies and often avoid more serious trouble.

### 5. Protecting the head and spinal cord.

The belted driver is less likely to be stunned or rendered unconscious by the accident and is better able to cope with the situation. Research has found that proper use of lap/shoulder belts reduces the risk of fatal injury to front seat passenger car occupants by 45% and the risk of moderate-to-critical injury by 50% (for occupants of light trucks, 60% and 65% respectively).



- Every 14 seconds someone in the U.S. is injured in a traffic crash, and every 13 minutes someone is killed.
- Seat belts are the most effective safety devices in vehicles today, reducing the chance of injury or death in a crash by 45% and saving nearly 10,000 lives annually.
- Failure to use a seat belt contributes to more fatalities than any other single traffic safety-related behavior.
- In 2001, traffic crashes on Tennessee’s roadways killed 1,251 people and caused 74,856 injuries. Sadly, many of those deaths and injuries could have been prevented if only the victims had taken the time to buckle up.

## Road Test Reminder

**Any passenger motor vehicle manufactured or assembled in 1969 or later must be equipped with seat belts and they must be in good usable condition for both applicant and examiner use.**

### The Belted Driver Has Better Control of the Car

The seat belt holds the driver in the driving position designed to give maximum comfort and maximum control of the car. Belts also tend to reduce fatigue. The belted driver stays more alert. **Also the facts are clear: In an accident, the belted driver is much more likely to survive uninjured.**

### Common Fears and Misconceptions about Seat Belts:

Many people still have “**bad information**” about using safety belts. For example:

- “*Safety belts can trap you inside a car.*” It takes less than a second to undo a safety belt. Crashes where a vehicle catches fire or sinks in deep water and you are “trapped”, seldom happen. Only one-half of one percent of all crashes ends in fire or submersion. Even if they do, a safety belt may keep you from being “knocked out”.

Your chance to escape will be better if you are conscious.

- “*Some people are thrown clear in a crash and walk away with hardly a scratch.*” Most crash fatalities result from the force of impact or from being thrown from the vehicle. Your chances of not being killed in an accident are much better if you stay inside the vehicle. Safety belts can keep you from being thrown out of your vehicle, into the path of another one. Ejected occupants are four times as likely to be killed as those who remain inside the vehicle.



## BUCKLE UP

## IT'S WORTH THE EFFORT

- “*If I get hit from the side, I am better off being thrown across the car; away from the crash point.*” When a vehicle is struck from the side, it will move sideways. Everything in the vehicle that is not fastened down, including the passengers, will slide toward the point of the crash, not away from it.
- “*Safety belts are good on long trips, but I do not need them if I am driving around town.*” Over half of all traffic deaths happen within 25 miles of home. Many of them occur on roads posted at less than 45 m.p.h.

## Tennessee’s Child Passenger Protection Laws

Tennessee cared enough about children to become the **first State in the country to pass a Child Passenger Protection Law. This law requires:**

That any person transporting a child under the age of four (4) years old in a motor vehicle upon a road, street, or highway in Tennessee shall be responsible for protecting the child and properly using a child passenger restraint system meeting federal motor vehicle safety standards.



- A 2001 amendment allows a mother to remove a child under four (4) years of age from a child passenger restraint system only when the mother is nursing the child.

*Remember, holding a child in your lap, even if you have on your seat belt, does not protect the child. In fact, your own body weight in an impact could add serious damage to the child. While the above makes it legal for a mother to nurse while the vehicle is in motion; the safest recommendation is still to pull over and stop briefly for this need.*

By promoting child passenger safety, Tennessee attempts to protect its most precious resource from needless death and injury. Why needless? Consider the following:

- Motor vehicle crashes are the leading cause of death for children 5 to 14. An average of eight children are killed and more than 900 are injured in crashes every **DAY**.
- Children who are properly secured in safety seats survive three quarters (3/4) of the crashes that would otherwise be fatal.
- The proper use of child-restraint devices could prevent **nine out of ten deaths** and **eight out of ten serious injuries** to child passengers under the age of four.

Unfortunately, many of these needless injuries result in permanent disabilities such as paralysis, brain damage, epilepsy, etc.

## Set a Good Example - Always Buckle Up

Think about what your child sees you do in the car. Do you wear your safety belt? Children follow their parents' example. Set a good example and remember you want to stay alive to share the beautiful years of your child's growth.

There have been studies conducted that show children's behavior in the car improves when they learn how to ride in their child-restraint device and it becomes habit. Make it a habit for your child. A habit you can both live with.

**Put children in their place—in child-restraint devices or seat belts!**

## Tips For Using Seat Belts With Children

When your child "graduates" from the child-restraint system to seat belts, it is very important for the belts to lie across the correct area of the child's body.

Basically a child is big enough to use the vehicle lap and shoulder belt when they can sit with their back against the vehicle seat back with their knees bent over the edge of the vehicle seat without slouching. The lap belt should lie securely on the child's upper thigh, low and snug around the hips. The shoulder belt should fit snugly across the chest and rest between their neck and shoulder. Never put the shoulder belt behind the child's back or under their arm.

Always remember **"Belts to Bones"**. The pelvic bone and the collar bone should bear the pressure of the seat belts. If the safety belt system seems to ride up too high on the child's stomach or the shoulder harness lays across the face or neck area of the child, you should continue to use a booster seat or one of the many models of high back booster seats that incorporate the vehicle's existing safety belt system.

## Air Bag Safety

**Air bags can HELP save your life.** There have been over 800,000 air bag deployments, and air bags have been

**Children ages 12 and under are safer in the back seat of a vehicle.**

credited with saving more than 4,011 lives since 1987 according to information provided by the National Highway Traffic Safety Administration. Even if your car has airbags, always wear your seat belt. *Airbags are **supplemental restraint systems that work WITH seat belts, not in place of them.*** They help protect adults in a frontal crash, but they don't provide protection in side or rear impact crashes or in rollovers. Most tragedies involving air bags could be prevented if air bags are used in combination with a safety belt and if children under 12 are properly restrained in the rear seat of the vehicle.

**"The Back Is Where It's At"** for children 12 and under. While air bags have a good overall record of providing supplemental protection

for adults in the event of a crash, they pose a severe risk for children ages 12 and under. Research shows that children and air bags simply do not mix. Children are safer properly restrained in a child restraint-device or seat belt in the **back seat** of a vehicle, regardless of whether the vehicle is equipped with a passenger side airbag. **NEVER PLACE A CHILD SAFETY SEAT IN THE FRONT SEAT WHERE A FRONT MOUNTED PASSENGER AIR BAG IS PRESENT.**

An important item to remember is that an air bag is not a soft, billowy pillow. Air bags were developed to prevent vehicle occupants from striking the steering wheel or dashboard. The air bag deploys and immediately deflates — faster than the blink of an eye. Air bags **combined with** safety belts are the most effective protection currently available in a car or truck.

If you drive, own or ride in a vehicle equipped with either a driver-side and/or passenger side air bag you should follow the following safety points:

### Adults

- Always wear the lap AND shoulder safety belts
- If you have an adjustable steering wheel always try to keep it tilted down in a level or parallel position.
- Sit as far as possible from the steering wheel (or dashboard on passenger side) to give the air bag room to deploy and dissipate its energy; ten (10) to twelve (12) inches between the chest and the air bag module is recommended by the National Highway Traffic Safety Administration (NHTSA).



### Children

- Children 12 and younger should always ride in the back seat, properly buckled up or restrained in a child restraint device.
- Infants in rear-facing seats should NEVER be placed in the

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front seat of a vehicle with a passenger-side air bag.

- Infants should be properly restrained in the back seat.
- If a child must ride in the front seat of a vehicle with a passenger-side airbag, the seat should be moved back as far as possible and the child should be properly buckled up.

#### **Air Bag Deactivation?**

Should air bags be deactivated? No, not unless you meet one of the four following criteria:

1. The driver cannot sit 10 to 12 inches from the steering wheel and air bag module, and drive the car safely.
2. The driver and/or passenger(s) has one of several unusual medical or physical conditions.
3. The driver must transport children under 12 in the front seat because the car has no rear seat or because of a car pool situation.
4. An infant in a rear-facing infant seats must be transported in the front seat because the car has no rear seat.

Vehicle owners and lessees can obtain an on-off switch for one or both of their air bags only if they can certify that they are, or a user of their vehicle is in one of the four risk groups above. To be considered eligible for an on-off switch a NHTSA request form must be filled out and returned to the National Highway Traffic Safety Administration (NHTSA). Forms are available from state driver license and registration offices and may be available from automobile dealerships and

repair facilities. Forms may also be requested by contacting NHTSA's Auto Safety Hotline at 1-888-DASH-2-DOT (1-888-327-4236) or visiting the NHTSA Web site at <http://www.nhtsa.dot.gov>.

As of May 19, 2003 Tennessee law makes it a Class A misdemeanor for any person to knowingly install or re-install any object in lieu of an air bag that was designed in accordance with federal safety regulations for the make, model and year of the vehicle, as part of the vehicle's standard inflatable Restraint System.

#### **Other Child Passenger Protection Laws**

It is now not only common sense, but against the law to allow children under the age of twelve to ride in the bed of a pickup truck. The only exceptions are:

1. When the vehicle is being used in an organized parade, procession, or other ceremonial event.
2. When the vehicle is being used for agricultural purposes.
3. In certain local areas where children over age six who are not yet 12 year old are in vehicles traveling on local streets and roads.

Even with these exceptions, if a child under the age of six is in the pickup truck bed, the vehicle must travel 20 miles per hour or less.

Each year more than 200 people die as a result of riding in the cargo area of pickup trucks. More than half of these deaths are children and teenagers.